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amounts to this : because the party against whom the declaration operates by its admission has lost his right of cross-examination, he must also lose his right of impeaching the evidence ; a rule pertaining to cross-examination is to be applied when cross-examination is impossible. The reasoning is fallacious, and is not sustained by the authorities. *State v. Lodge*, 33 Atl. Rep. 312 (Del.) ; *Battle v. State*, 74 Ga. 101 ; *People v. Lawrence*, 21 Cal. 368. The position taken in 9 HARVARD LAW REVIEW, 472, seems, on the whole, untenable.

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MUST AN INNKEEPER ENTERTAIN ONE WHO IS NOT A TRAVELLER? — Apparently by the common law an innkeeper is compelled to receive and entertain as guests only those who are entitled to be called travellers. See Wandell on the Law of Inns, pp. 46-48, 55-58. Thus, in a leading English case, *Rex v. Luellin*, 12 Mod. 445, decided nearly two hundred years ago, an indictment for refusing to receive a person as a guest at an inn was quashed because there was no statement in it that the person desiring entertainment was a traveller. In a very recent English decision, *Lamond v. Richards*, reported and commented on in 32 Law Journal (Eng.), 56, 90, the plaintiff, who had stayed for several months at the defendant's hotel, went out for a short time, and on her return was refused admittance. It appeared that she had already received notice to leave, but she stated in court that it was her intention to remain at the hotel until it burned down. The court held that, the plaintiff having ceased to be a traveller, the defendant was therefore entitled, after giving reasonable notice, to eject her. The mere fact that she had been at the hotel for some length of time would not of itself disentitle her to the character of traveller. 2 Parsons on Contracts, 8th ed., 160. But there can be no doubt under all the circumstances of the case, that she had fully determined to make the hotel her permanent abode, and the court was amply justified, accordingly, in reaching the conclusion that she had no right to a traveller's privileges. The case under discussion involves, therefore, a decision of the very interesting question as to whether the innkeeper's obligation shall be so extended as to compel him to entertain for an indefinite period a person who, although he entered the hotel as a traveller, has now ceased to hold that character. Apparently there is no authority for such a proposition, and as the burdens resting upon innkeepers are already very severe, it seems hardly probable that the Court of Appeal, to which the case of *Lamond v. Richards* has been referred, will increase them in the direction indicated by the plaintiff's contention.

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DOES AN ACTION LIE FOR PREVENTING THE ENFORCEMENT OF A DECREE? — A recent New York decision seems to show pretty plainly that one should not induce or aid a third party to commit a breach of legal duty to another, unless he wishes to answer the injured party in an action at law. The court decided in this case, *Hoefler v. Hoefler*, 42 N. Y. Supp. 1035, that an action similar to an action on the case at common law will lie by a wife, in whose favor alimony has been decreed pending divorce proceedings against one who has induced and aided the husband to leave the State in order to avoid the payment of the alimony. The same result was reached in the old case of *Smith v. Tonstall*, Carthew, 3, where